THE COURTS.

The Northern Pacific Railroad and Jay Cooke.

THE OPENING OF THE COURTS.

Full Calendars and Heavy Work for the Judges.

In the matter of the Central Branch Union Pagranted by Judge Donahue, in Supreme Court, Chambers, to compet Emngham H. Nichols, Treasurer of the company, to show cause why he should not deposit with the Clerk of the Court the books previously ordered to be produced by him by order of the Court dated May 27, 1874, and further to show cause why he should not be punished for contempt in not obeying the order of the court of May 27, 1874, referred to.

in the suit of Cornetius Callahan, formerly Ser-geant-at-Arms for the Board of Aldermen, against the Roard of Audit, to recover balance of salary, tried before Judge McAdam in the Marine Court. it was neld that the action of the Board in refusmg to pay the salary affixed to the office by the Board of Aldermen was illegal, and that the plaintiff was enutied to recover the balance sued for, and for which judgment was awarded. This decision will affect a great many similar claims pend-

THE NORTHERN PACIFIC RAIL-ROAD.

Yesterday the case of Enjah Myers vs. the Northern Pacific Rangoad, Jay Cooke and W. B. Ogden, came before Judge Blatchford in the United States Circuit Court. This suit had been originally commenced in the State Court, and upon motion of the defendants it was removed into the United States Circuit Court, together with the papers, or some of them. It was an action instituted by the plainting, Myers, to foreclose the mortgage which was given by Cooke and Ogden, as trustees for the radroad company, to secure the bondholders, and against the railroad company to enjoin them from issuing any more seven-thirty bonds, they, it being alleged, having stipulated to issue only \$30,000,000 of seven-thirty bonds, and to remove every possibie cloud from the title. Counsel for the plaintiff made a motion to remit the cause back to the scate Court, and, in doing so, submitted the following

Court, and, in stong so, submitted the following points to the Court:—

There is no petition before the Court. The bond is not good and sunderent surety, and is not a bond within the purview of the statute. There is no hability, or alleged lability, charged against the corporation defendants. The order of removal did not work a removal as to Jay Cooke and William B. Ogden, the trustees. The railroad company is not a corporation, not having compiled with the requirements of its charter. It is, therefore, asked, on the part of the plaintiff, for an erier declaring that the cause is not in this Court by reason of non-compliance with the law of iss. If the cause is here then plaintiff asks for an order splitting the cause as to Jay Cooke and Ogden, and proceeding as to them in the State Court.

Counsel for detendants submitted some points,

and proceeding as to them in the State Court.
Counsel for decendants submitted some points, tending to show that the case and but, as directed in the order, been removed into the next session of the Circait Court after the order had been granted, and that all the papers in the case had not been filed in this court.
Counsel for plaintiff said he had filed all the papers he deemed accessary and if others were necessary he would file them now, nume pro tune, by reason of the objections he had stated he held that, in a much as the rat road company had not shown they were a corporate body, under the laws of Congress the Supreme Court of the State and no jurisdiction to remove the case into the United

menany.

Counsel for defendant replied it was no doubt
le law that a corporation could not fice a petion, but such petition could be filed on behalf of
corporation by an attorney. It appeared from
he papers and from the ambiguitor the President the papers and from the adidavit of the Fresiden-of the railroad company, that the company had been regularly incorporated according to the laws of Congress.

The Judge took the papers and reserved his de-

THE CLOSING TERMS.

The summer vacation is past and the work of the courts will be resamed to-morrow morning. with the opening of the October term, with full calendars in all the courts. The calendars are all heavy, but there are no cases of special interest or importance, but it will, notwithstanding, be up-Bill work for the judges to dispose of the causes that will be presented to them for adjudication Below will be found a brief but accurate reference to the work to be disposed of in the several

BUSINESS IN THE UNITED STATES COLERS.
Judge Woodruff will preside in the United
States Circuit Court, of the district on the 19th
10st., when, in an probability, the civil jury canendar will be called. It is expected that Judge
Nathaniel salpman will take up a branch of this
Court at the same time.

Judge Blatchford will, on Tuesday next, take up
the hearing of admirally cases in the United
States District Court.

On Tuesday, the 14th inst, Judge Benedict will
sti in the United States Origin Court, and proceed
with the trial of criminal cases.

Admirately Calledday for Tuesday.

Before Judge Blatchford.

Before Juage Biatchiord.

99. Francisco Siade et al. vs. the bark Triton.

144. F. Joseph and others vs. the bark W. Seymour.

115. Eric Railway Company vs. the steamboat
U. S. Gregory.

133, Joseph M. Vaughan vs. 630 quarter casks of
the.

J. A. Davenport and others vs. the schooner R. Asheroft and others vs. the steamship S.

Thusen.

124-7, L. Piannigan vs. the steamboat T. Powell, 125. For et al. vs. the erroboat Jay Gonld.

SUPERME COURT.

There so unusually heavy calendars in all the branches this fourt, and the opening of the new legal year ves promise of abindant work for the judges. In Judges gray and Daniels are the regular assigned mais, but should Judge Ernd, hold the Oyer and Promote of abindary for the judges gray and Daniels are the regular assigned mais, but should Judge Ernd, hold the Oyer and Promote which as some other mage selected in his place. The calendary of the Court shows ninely himself a some other mage selected in his place to be signed. Many of these are old cases, while though not quite as anti-qualished as the Jarobe suit, still involve the adjudication of meaning the first the met of the Court, are a rented at the institute of the Court, are weathing decision. These censions may be a however the red penting of the Court, or they may each or the reopening of the Court, or they may each of the reopening of the Court, or they may be held in aleyance for some time. The "law stemys" are proverbial, and this is one of the thing, to which lawyers and

Donoue. There are some 2,00 teses on the calculate a number, in view of the acrosse in his gation, which is not likely to be saterially lessened for some time to come. Asign Barrett, who, on account of illness, has enjend on his regime of several motths in his justical labors, whi nod chambers. He will come back it is said, failly retructed in health, and acrtainly a resumption of his daties on the benefit will be not a complete to the Bar and procession generally.

Over any discondant, Judge brady will hold the Court, it being a continued bring the most important case on the calcular is that of John Scannell for the alleged murger of from a Donohoe, the present son the calcular is that of John Scannell for the alleged murger of from a Donohoe, the present being his third trial. Endicated the commissioners Charlick and Gardiner, had probability, will be tried on the three other counts contained in the original innertment, as well as on the new indictment bound against them by the Grand Jury of the Court of General Sessions. Should it so happen in the course of number cases will also demand the attention of this Court, but from the present outlook this seems a contingency hardly likely to happen.

In the various branches of this Court there will

In the various branches of this Court there will In the various branches of this Court there will be quite enough to keep both judges and awyers actively employed for the ensuing legal year. At the General Term, which will be held by Judges Preedman, Van Vorst and Spier, there are fity-lour cases on the calendar, some of most important enaracter, involving nice legal points in reference to mercantile matters. On the trial calendar there are some 1,300 cases; Chief Justice Monell presiding over Part 1 and Judge Schwick ever Part 2. The Special Term and Chambers will be held by Judge Cartis.

COURT OF OYER AND TERMINES.

There will be no lack of business in this Court, the calendar all being heavily burdened with cases. During October there will be no fectorial Term. On the trial calendar there are some 2,000

cases and sixty to be heard at the Equity Term, which will be heard by Judge Larremore. The Tran Term will be held respectively by Judges Loew and J. F. Daly, and Chambers by Judge Robinson

MANUFACTURING CITIZENS.

Keeping the machinery of naturalization in working order will occupy all the leisure time of the induces of the superior Court and Court of Common Pleas from this time on, till within ten days

the judges of the Superior Court and Court of Common Pleas from this time on, thil within ten days of the ensuing election. The process of "grinding out citizens," as it is called, is going on with all the accustomed vigor.

GETTING JUBIES.

This is one of the jobs of the new legal year, and a dufficult job it is, as Mr. Douglas Taylor, the Commissioner of Jurors, and at it. He has already summoned 1,100 jurors, out of which number over soe have sought to be excused. For the past week Mr. Taylor mis had no rest. He is even besieged at night. He has not excused one, but in his efforts at explanation he has grown so hourse he cannot speak above a whisper.

Four jury trial terms will be neid in this Court besides General and Special terms and Chambers, Here the judges have an amount of work cut out for them that will occupy time and require an amount of labor not generally supposed to attach to the duties of the bench. The devotion, however, of the judges to their work, exemplified by the holding of terms through the months of July and August, when all the other courts are closed, shows that nothing will be wanting on their part to meet all the public requirements attaching to them. As much cannot be said of those whose duty it is to provide for the accommodation of the commodation. And it is to be hoped, in the interest of the public, that their request will be at once acceded to.

Proceedings Supplementary to Execu-

Proceedings Supplementary to Executions.

Rulings by Judge Joachimsen.

First-A defendant examined and no property discovered is entitled to \$39, costs of the proceeding, to be credited upon and set off against the

ing, to be credited upon and set off against the judgment.

Second—Where, upon a proceeding to examine a third party, such party admitted an inocotealness to the judgment deoter arising as balance upon building contract, the judgment deoter being a sub-contractor, and the party examined being the contractor in chief, and it also appearing that mechanics' lens have been flied as against the property by material men and laborers employed by the judgment deoter, held that such mechanics' lens constitute a lien both on the real estate on which the building was erected as against the owner of the building was erected as against the owner of the building was erected as against the on the funds in the hands of the contractor unpaid to the sub-contractor, and having preference over the lien of the judgment creditor. Motion to compel the third party to pay to the judgment debtor denied.

The Proceedings supplementary to the eye.

pel the third party to pay to the judgment debtor denied.

Third—Proceedings surplementary to the execution, when duiv initiated and served on the judgment dealor, remain in force and effect until a final order in the proceedings made by competent authority. A simple failure to adjourn the examination, though it may result in the judgment creditor failure to obtain orders to bring parties in contempt, still it is not a discontinuance of the proceeding; itself, and the Court retains complete initiation and control over it. Where abother judgment creditor subsequently mittated other proceedings and control over it. Where abother judgment creditor subsequently mittated other proceedings and obtained the appointment of a receiver may be action without notice to the prior moving party, or a suggestion that the first proceeding had been anandoned, heid that such appointment of a receiver was irregular, and not in conformity with section 298 of the Code, (Wyman vs. Chids, 41 N. Y., p. 195.)

Foura—Also neid that the party first obtaining an order by its service obtains a valid, equitable hen on all the equitable assets of the judgment debtor, no matter in whose hands they may be, and that such hen remains until a final dismissation proceedings by the Court. A mere failure adjourn the examination does not discharginen so acquired (20 not vs. Johnson, 48 N. Y. 33, and a otherwise there exted).

Fifth—Where the receiver appointed in supplementary proceedings was the cierk of the parties against whom proceedings was the cierk of the parties against whom proceedings was the cierk of the parties against whom proceedings was the cierk of the parties against whom proceedings was the cierk of the parties against whom proceedings on the part of creditors.

Sixth—Where the receiver appointed in supplementary proceedings were that to act impartially in behalf of all the creditors.

Sixth—When it appeared on the examination of a judgment debtor that the party appoint exit may the absence of other circums sances, and the diamonds i Third-Proceedings supplementary to the exe-

respect, is broader and more comprehensive than that of the Code in regard to appeals from other

that of the Code in regard to appeals from other courts.

Second—Where an order at Chambers overrules a demutrer as irvocions and orders judgment for the niantiff, and an appeal is taken from such order and a stay of proceedings is asked for, such stay will not be granted without security, as under section 356 of the Code.

Third—Where an order was made at Chambers, on motion to set aside a judgment for irregularity, denving such motion and allowing the defendant to come in on terms, the defendant declining to accept such terms and appealing from the order denying the motion, held that he must give security, as under section 356 of the Code.

denying the motion, held that he must give secu-rity, as under section 336 of the Code.

Fourth—A maintiff whose judgment was opened, appealing from the order orening the judgment and asking for a step, held that he must give security for the costs of the appeal.

ESSEX MARKET POLICE COURT. Attempted Burglary.

Early vesterday moraing Officer Richard Lohert. of the Seventeenth precinct, saw William Hamlin crawling over the fanlight of the hall door of No. 130 East Thirteenth street. This door connects the restaurant kept by William Booand. Mr. Bothe restaurant kept by winiam Booshd. Mr. Bo-band, who sieeps in the house, was awakened by the officer, and a jimmy was found near the inner door leading from the hall. Hamlin was arraigned before Judge Kilbreth and held in \$1,000 ban to answer on a charge of attempted burglary.

Felonions Assault.

Peter Hoff, of No. 115 Willett street, was attacked in the street, on Thursday night last, by Gustave Roboff, and stabbed twice in the thigh hip. Rohoff was taken to the police station, re his wounds were diessed. Rohoff was ar-ad by Officer Uhr, of the Seventeenth precinct, held in \$1,000 bail to answer at General Ses-

JEFFERSON MARKET POLICE COURT. "He Loved Not Wisely."

Before Judge Flammer. About two weeks ago. Henry Lang, a good look. ing German-American youth, about twenty years of age, living at No. 374 Seventh avenue, became acquainted with an English woman named Marian oods, lately arrived in this country. Young Lang fell desperately in love with Marian, and begged leave to visit her. She accorded him the required permission, and after visiting daily for some ten days, proposed marriage. Lang was nacepted, and the twain were married on sunday night last, at ten o'clock, by the Rev. Mr. Gensennemer, pastor of the lautheran church, corner of Fhicenth street and sixth avenue. On Tuesday night Marian and Henry quarrelied, and on Wednesday night Henry came home to his wife in an incornated condition and threatened to cut her throat with a razer. He was arrested and brought before Judge Flammer, at Jefferson Market, and heid for examination th yesterday. Young Lang, being put on an detence, through his counsel, Mr. McClelland, stated to the Conrt that he married Marian in good faith. After his marriage no discovered that the house is which his wife was living was a house of ill repute. He defined that he intended to ase any violence toward her, but said that he quarrelied on account of some supposed frenchery toward him, and demanded that she should leave the house, which she rensen to do. Lang was held in \$1,000 bail to answer on a charge of assault and battery.

FIFTY-SEVENTH STREET POLICE COURT. A Wife Beater Committed.

Before Judge Otterbourg. Henry Krungle was committed to await the resuit of injuries inflicted by him on his wife, Rosey, who is now in the hospital. They have in a sharry in Skyr-sixth street, near Ninth avenue, where, on Friday night, while intoxicated, he teat her in a brutal manner.

Alleged Keeper of a Disorderly House. Annie Pearsall, of East Filteenth street, was charged with keeping a disorderly house. Five women found in the house were also arraigned on charge of diso rderly conduct. Mr. Nathan Nesa charge of diso rderly conduct. Mr. Nathan Nesbutt, who appear ed for the whole party, moved for the disolarge or the five women, on the ground but their guilt depended on the conviction of Mrs. Pearsail and the house being proved a disorderly one, which had not yet been done. The mulion was denied for the time being and the case of Mrs. Pearsail taken up, which was disposed of by holding her to ball for examination. Officer Mailen, of the Eighteenth preduct, who made the arrests, was then examined; but he could prove mothing definite against the five women, and they were discharged. The complaint against the premises was made by the lady who occupies the next house.

No Jurisdiction.

Robert Johnson, a colored man, was charged with disorderly conduct toward a lady who was a passenger to the express train that arrived to this city from Boston on Friday night. Johnson is a waiter employed on the train, and was re-

when he brought to her a glass of brandy, which was not, she said, what she had exactly ordered. She wanted some whiskey. An hour or so later he again cutered her room and annoyed her considerably by his bad behavior in her presence and while she was in bed. Johnson denied the charge, and the Court turned to consuit with Judge Smith, who occupied a seat on the beach. The cloud of uscertainty that had previously sat on the Court's troubled countenance had entirely disappeared when he again faced the prisoner and said. "I dismiss the case for want of Jarisdiction." The prisoner was arrested at the Grand Central depot on the arrival there of the train.

A Pittable Case.

A Pitiable Case. Dennis Hickey, of No. 894 Second avenue, was arraigned on complaint of his wife, who, with a small baby in her arms, took the witness stand small baby in her arms, took the witness stand and swore that the accused attempted to throw her out of the window yesterday morning.

"Weil," said the Court, "what snall I do with him for you, send him up for six months?" "Oh, no sir," said the afflicted woman, "who would then support myself and my child?" "I do not know about that," said his Honor, evidently puzzled. A year ago Hickey had broken his wile's jaw in three places; but, as in the present instance, he was not punished, she having halled to prosecute him. She now also refused to send him on the Island, but only because she would then have no one to support her. The prisoner was therefore discharged with a reprimand.

Disorderly Conduct in the Rink.

Disorderly Conduct in the Rink. William Johnson, a young man of quite respectable appearance, was arraigned on a charge of being guilty of disorderly conduct at the American Institute Fair, in the Rink. He was found con-Institute Fair, in the Rink, He was found concealed under one of the show tables, and had attempted so lift a lady's dress, when Officer Rodzers, of the Nineteenth precinct, arrested him. A deputy sheriff's badge was found in his possession, and he said he was in partnership with another in the liquor business in Forty-first street and Ninth avenue. He was fined \$10, in default of which he was committed.

CHARGED WITH BUYING STOLEN PROPERTY.

Owen McManus, a barkeeper, residing at No. 513
East Thirteenth street, was brought up to answer a charge of buying a horse and wagon alleged to have been stolen. He was held for examination, and an effort will be made to arrest the person

and an effort will be made to arrest the person from whom the property was purchased.

BROOKLYN COURTS.

CITY COURT-SPECIAL TERM.

The Sale of Lager Beer on Sunday. Before Judge McCue.

The case of Augustus W. Jacobs, the proprietor of Tivon Garden, against the Board of Excise, in which the Judge denied a motion for an injunction to restrain the Board from interioring with him. was reargued before Judge McCue yesterday. The counsel for the plaining argued that keeping open on Sunday was not in violation of the Excise law, and that the statute only made it an offence to keep open between the hours of one and five A. M. The Court took the papers and reserved its decision. The Libel Suits of Henry C. Bowen

Against the Brooklyn Eagle. Before Judge Neilson. Mr. William C. De Witt appeared in the City

Court before Judge Neilson yesterday morning and moved that the two actions for libel, brought by Mr. Henry C. Bowen against the Brooklyn Eagle be consolidated into one. He said that the statute provided that "where there were several suits in the same Court, by the same defendant inor substantially the same offence, the Court f it deemed it expedient, order the sev-

s to be consolidated into one." The first of these actions was for publishing an interview, affected to have been end with Mr. Bowen, who is alleged to have been connected with what is known as the Beecher scandal. The only specific matter in the interview is in the relation alleged to exist between the piaintiff and the Beecher controversy. In connection with this interview, which seems to constitute the source of these held suits, are the editorials relating to the interview and the subject matter of the interview. These three articles constitute the alleged hoes in the first suit. The second suit is brought for the article in which it publishes the affidavit of the reporter, who alleges that he had this interview and states that it is accurate. The counsel said that his affidavit shows that the offence was substantially the same, bringing out only as a matter of justification the question of the truth of these accusations against Mr. Bowen touching his alleged relationship with the Beecher scandal. s to be consolidated into one." The first e motion was opposed by Mr. Bowen's coun-The Judge took the papers and reserved his

KINGS COUNTY COURT OF SESSIONS. Condition of the County Institutions Reported Upon by the Grand Jury. Before Judge Moore.

The Grand Jury on coming into court yesterday forenoon presented, besides their batch of indictments, a communication concerning their visit to and inspection of the public institutions of the tion, beds and beeding; food, manner of cooking and serving the same, &c. They congrutulate the and serving the same, &c. They congratuate the citizens on having such a reformatory histitution as the Penttentiary, which they found "a model of neatness, system and order." The institution is becoming set-supporting. The Aimstonse was not to be found tault with in relation either to food or the care of the inmates. The Hospital and Lunatte Asylum were found meat and clean and the food of good quanty and plenty of it." There are no of good quality and plenty of it." There are no had stores served out. The nursery is badly ventuated, and the children were not as clean as they should be. The supplies were generally of good quanty. The Raymond Street Jail was as clean as is possible in such a building. The structure is too small for the number of prisoners confined in it. Cells on the male side, which are intended for two occupants, have as many as six prisoners in them. The apartments for witnesses are wretched, and the treatment of witnesses confined is a burning shame to Kings county. The pall is presented as "a disgrace to the city and county and one that ought to be removed at once." The Grand Jury was discharged with the thanks of the Court.

BLOOD MONEY.

Meeting of the Seamen's Protective As-

sociation.

The Seamen's Protective Association held a mass meeting yesterday alternoon, with President Thoms in the chair. Mr. Henry C. King delivered a lengthy address, in which he advised the saliors to join the association and co-operate with one has so long bound them. The following preample and resolutions were then unanimously adopted:-Whereas the system of "blood money" is still in opera-ion, taking from the sailor his hard carned wayes, and increas this association is determined to proceed and crend all seamen who with not pay blood money."

defend all seamen who will not pay "blood money," therefore be it.

Resolved, That the North and East River committees are hereby requested to ascertant the ammes of an ivessets exacting blood money and immediately report to the President.

Resolved, That every sailor refusing to pay "blood money" is entitled to the protection of this association.

Mr. Meteal, of Washington, then delivered an address, in which he said that this thing had gone far enough, and should be stopped. There was a class of men easily imposed upon, who were the slaves of drink, and were made to pay "blood money" while in that condition. If there was not a law afready made they would have one made, and seamen would be protected. He recommended them to join the association, and said he believed, by the help of the press and the public, this great work would be accomplished.

Mr. Bailey Said there was not a class of men

by the help of the press and the public, this great work would be accomplished.

Mr. Halley said there was not a class of men in the world who could do so much if they had a system of organization. He told them it they wanted to form an association in the country if must be an international one, otherwise it would be an injustice to the merchants or New York. At the present day a man who had hardly any knowledge of the sea, could saip as an able bound seaman. Two thirds of the shipwrecks were caused by the thefficiency of the officers, as well as the men. There was hardly a servant zirt in New York who did not get better wages than scamen. A resolution requesting the President to communicate with the Chamber of Commerce, the maritime Exchange and other commercial organizations, and request them to co-operate with them, was unanimously adopted, after which the meeting adjourned.

THE PUBLIC WORKS.

Commissioner Van Nort makes the following statement of public moneys received by the Department of Public Works during the week ending For Croton water rents and penalties

Total VENTILATE THE STREET CARS.

TO THE EDITOR OF THE HERALD:-

A few weeks more and winter will be upon us. There is yet time, however, for the Board of Health to take action towards relieving passengers who are compelled to use the Eighth and Ninth avenue railroad cars by providing means to admit sufficient fresh air in those pestionee breeding caravans. Will you have the goodness to poke up those old gentiemen, and advise them to do something in the matter; otherwise we shall be under thing in the matter; otherwise we shall be under the necessary of making a personal appeal to the next Leg, stature, with a view to substituting live quested by the Act to bring some refreshments as nine o'clock to her sleeping apartment. He did not do so ntil nearly tweive o'clock, he foregoing evil?

They are tired of his waverings, and leave the work of promoting church unity. In the did not do so ntil nearly tweive o'clock, he foregoing evil?

BAVARIA.

How King Ludwig II. Lives and Reigns.

STARNBERG. LAKE

The Swiss Lake of Bavaria-A Royal Idealist-A Ruined Tenor-A Talk with Dollinger-King Pep n and Bertha-The Legendary Birthplace of Charlemagne.

STARNBERG, Bavaria, August 29, 1874. Attha. King of the Huns, shouted to his hordes some 1,300 years ago, "To Bavaria! To Bavaria! There dwells the Lord God Himself!" It always seems to me when I recall these words, and look on the beautiful lake and the charming wooded shores of Starnberg, that Etzel must have referred to this vicinity. Lake Starnberg is not over fitteen or sixteen miles long and two or three miles broad. Its shores are by no means so ruggedly remantic as those of Koenigssee, near Berchtes gaden. They rise gradually from the lake, being for the most part well wooded, and where not the intervals are adorned with luxuriant fields and meadows, and studded with villas and palaces and pleasant looking villages. All along the shores the rich merchants and artists of Munich and retired generals and an ex-king have built themselves residences; and, if so you feel inclined, you can take the little steamer at Starn. berg and let the beaut.ful shores pass in review before you. BEAUTIPUL SCHLOSSERRG

looms out among the trees on the opposite shore. It is the residence of Bavaria's young King, who to-day has returned from his mysterious journey to Paris, whither he went a week ago without telling his subjects that he was going to leave them. Schlossberg is very, very still, and the park is now closed to everybody, for the young Prince wishes to enjoy it aione, wherein he may meditate undisturbedly on the duties of monarchs to subjects. But we have been permitted to enter. So still and calm it is; not a policeman; not a soldier on guard, only a hostier, perhaps, can be heard whisting to himself in the stable. The interior of the palace is closed to-day, for the young monarch is working with his Ministers, If we could enter the rooms we should find one salon decorated with frescoes by Kaulbach, the subjects of which are from the poems of Schiller and the operas of Wagner, the King's favorite poet and composer. The park surrounding the palace is a beautiful solitude, where in summer days one may enjoy, in view of the lake, that exquisite dolce far mente enjoyed to per ection alone in the Orient. Bright sans are seen slowly skimming the blue waters of the lake; the gaze is bound by the snow-capped mountains, thirty or forty miles distant, but near enough to beckon the King away from his lake palace up to their bracing air-to Linderhof, where he is going to create a mance and poetry. Munich has less attraction for the young ruler, although he has created there a paragise on the top of his castle, where he may spend his winters in his accustomed solitude, in

company with his swans. A GENEROUS PUBLISHER.
It was expected that some time this fall there was to be a grand royal aquatic festival on the lake, something like the extravagences of old, but the idea seems now to have dropped through. Now and then large picnic parties pass across the the little steamers deposit some thousands of Sabbath excursionists at the little villages along the shores. Not long ago the German singers came to Tutzing, but they avoided the lake and drank their beer under the trees. Starnberg endeavored a few Sundays ago to get up a boat tournament, but the affair was not particularly successful. To get up such take testivals the presence of the artists or the support of royalty is needed. Twelve or thirteen years ago came all the artists of Germany here. Richly flugged gondolas glided over the olde waters to the accompaniment of music and song, up to the shore near Rottmannshöhe. and song, up to the shore hear Rottmannshöhe, where they spent the day in lestal joys which Hacklander has so pleasantly described in his romance of "lambauser." The novelist himself they do many fears on the shores of the beautiful hake, and, therefore, the whole scenery is native to mm. And malberger, inspublisher, the proprietor of teber Land and Acer, aves in one of the mest balaces of the lake, at Turzing, commanding the most beautiful view of any along the shore, limitoerger is one of the wealthest publishers in Germany, and now he is a noble hearted host. When he firs burchased his Turzing estate he issued a circuar letter to all the author's connected with a circular letter to ad the author's connected with his undertakings, telling them he knew very well whom he had to thank for having been enabled to purchase the beautiful estate at Tuting, and he begged his collaborers in his publishing department to consider themselves as cowners of the place. They were welcome at altimes in Tutzing. They could live there just as they fixed; the saliboa so in the lake, the hunting privileges, the horary, the billiard room and the table were all at their free disposal. Only one thing he demanded—his guests should not be away at the evening's gathering. And while we are talking about futzing I would not lorget to mention that little villa close to the lake, for there haves the

HE GREATEST SINGER PAIR OF GERMANY, lives the GREATEST SINGER PAIR OF GERMANY. Herr and Frau Vogl—he the first tenor, she the prima doma of the Munich Court opera. Vogl's hie has a touch of romance about it. Eight or nine years 2go he was schoolmaster in a miserable little virlage in the vicinity of Munich, with a sain y of 400 florins (about \$150) a year. Having a good voice he went one day to the intendant of the Court theatres and asked to be accepted in the courts of the opera. The intendant seath him down to the general music director, Lachmer, who was to try his vocal powers. After the trial the intendant in oitmed the young schoolmaster that he was sorry not to be able to take nim in the chorus, but he would give him for the time a salary of a thousand floring a year and train him for the opera. The young singer progressed rapidly, so that he a tew months he sung the part of Max, in "Freischutz," with great success. Now he is one of the best singers tenors who can sing Wagner's Tristan, in "Tristan and soide," and Segmund, in the "Watkuere." Frau Vogi is the only lady singer who, so lar, has taken the part of Isolae or or Seglinde in "Watkuere." They are a wonderful singer pair; it is always a great enjo ment to bear them. And here on the lake shore they lead a happy wedded life, surrounded by children and a pleasant circle of friends and acquaintances.

LUCILLE GRAIN AND HER HUSBAND.

Still evolver singer, whose laie is not so banny.

Ciffeends and acquaintances.

LUCILLE GRAIN AND HER HUSBAND.

Still another singer, whose fale is not so happy as the one just described, lives on the shores of the charming lake, but at the extreme end, at Seestaupt. I remember two years ago seeing as I landed nom the steamboat there, so aced in a large perambulator, a handsome man of scarcely jorry years of age, who appeared perfectly healtay at the face, but who appeared perfectly healtay at the face, but who appeared perfectly healtay at the face, but who appeared the perambulator stood a servant in heat dark livery. Deside the invarid stood a lady of prepossessing appearance, clad in the most elegant dress. This lady was once the most renowned woman in Europe—Lucible Grain, the celebrated danseuse, the successful rival of Taglioni, Grisi and Cerrita. Lucille Grahn, the celebrated dansense, the successful rival of Taglioni, Grist and Cerrita. Many years ago now it is since she married the celebrated tenor, found, and with him she lived a happy wedded life for many years. Fortune stanied upon the renowned couple; they had youth, riches, the fortune form. Lucius Grahn returned from the

happy wedded lie for many years. Fortane samied upon the renowned couple; they had youth, riches, takent and fame. Lucine Grahn retured from the stage, no wever, shortly after the marriage and devoted herself entirely to household duties. But misiortune came. One day when Young was singing at Warzburg, he stopped back while on the stage and plunged into an open depth and was taken up nelpiess, his spine being irreparably injured. This is now ten years ago and the artist is no better, and he will be as helpiess as a child to the end of his days. Lucine Grahn is an excellent wife, unceasing in her care and love, sacrificing everything in order to make her husband happy. Young's voice is said to be even more beautiful than ever; but it is now useless to him, except to delight his litends.

DR. DOELLINGER ON THE PAPAL ELECTION.
The Old Catholic leader, Dr. Doellinger, spends his summer vacation at Tutzing. I saw him the other day, looking as well as he generally does. He is busy just now in preparing for the confierence which is to be held at Bonn, on the 13th of September, for the promotion of unity among the Christian churches. But the pian seems to me to be perfectly Utopian. Doellinger is just as one-aded as anybody can make him in this matter of church unity. He ignores all "dissenting bodies," so called, and is of the opinion that no unity is possible with them, because they will persist in wishing to take the Bible as the basis of union. Doellinger takes the doctrines and formularies as adopted by the ancient Church before the great separation of the Oriental from the koman Church; and he thinks that the old Church leader which is necessary for us now. Professor Doelinger seems to be left out in the cold by the Old Latholics. They are tired of his waverings, and leave him to the work of promoting caurch unity. I bind a the charactery with them be aged man the that the old the cold when the the seems to be left out in the cold by the Old Latholics.

day, about religious matters in general. He con-demned the Prussian government for its recent acts of persecution against the bishops, and thought that Roman Catholicism had gained strength and sympathy thereby, and consequently Old Catholicism had not progressed to such a de-gree as had been anticipated.

strength and sympathy thereby, and consequently Old Catholicism had not progressed to such a degree as had been anticipated.

THE COMING FOPE.

An interesting topic of conversation was the Papal election. Dr. Doellinger is of the opinion that the governmen's cannot interiere in the election of a Pepe. The only interierence would be in case of a French Pope being elected, when the Italian government would in all propagations of the common cause with the greater part of the Italian clergy. But in case of an Italian being elected, which is lar the more probable issue, the Italian government cannot and will not interiere, and no other government could try. The great Powers might do so by common understanding; but such a common understanding will never be brought about. A positive influence on the election can be exercised only if the Ambassadors of France, Germany, Austria and the government of Italy act together; but there is not the least probability of this occurring. In the election of Clement XIV. all the Bourbon Courts—Naples, Spain and France—were of one mind, and a Pope was chosen as they wanted him. But this is quite an isolated case and will not be repeated in our times. Austria and france will have a sort of delegation, of course, in their cardinals; but the Italian acrdinals are not colleged to wait for the arrival of loreign cardinals in order to proceed with the election. If a government thinks it convenient, it can tell its cardinals that it wishes such and such a man, of such a character, to be excluded—it cannot go in their. But there are only two governments which can exert an influence—the Italian and the French. But France can do nothing, MacMahon is personally invificerent to the question of the future Pope; he does not even understand the difficulte which can exert an influence—the Italian and the French. But France can do nothing. MacMahon is personally invificerent to the question of the future Pope; he does not even understand the difficult of the cardinals would not care the least about in cuttes which might arise from a new election; and, besides, his government is too weak and his jower too restricted, and the French cardinals would not care the least about his wisnes in relation to the coming Pope. Among the cardinals, the great struggle, thinks Dr. boeilinger, will be between the Jesuit party, which will endcavor to elect a cardinal of its own principles, and the party which wis est to come to an understanding with the Italian government. Though there are cardinals known to be lavorable to reconcliation with Italy, the prevailing party and Cardinal Antonelli himself, wisn to remove the conclave from Rome. In that case the only country ahere the election could take place would be France, and certainly a cardinal avorable to the Jesuitical party. This issue the Italian government will, if possible, prevent. Other government shave no influence, and probably would not even try.

RELIGION AND LEGEND.

men's have no influence, prevent. Other governmen's have no influence, and probably would not even try.

RELIGION AND LEGEND.

So much for religious matters, which have, I am airaid, unnecessarily intruded themselves upon us. Still, on Lake Starnberg, we are irequently reminded of religious solemanties, especially in the processions of pigrims, whom we meet along the shore, going their slow way Munichwards to Maria's Oak, to join with the thousands who come from the capital on the appointed days of grace. First there was simply a majestic oak in the midst of the forest, and in a bollow of its trunk a small image of the Madonna, before which the peasants knelt in supplication for aid and grace; then a chapel sprung up, and now it is a deightful resort for many thousands of pigrims yearly. And between Maria's Oak and the lake there is a romanute valley called the Milhihal, where legend says Charlemagne was born. But the savans are not agreed on this point. The story confected with the valley is to the effect that King Pepin Direbed his camp near Freising, awaiting his chosen bride, Eertha, the daugnter of the King of the Carolingians. But the court marshal whom he had sent to bring her was a treacherous ledow. Here, in this valley, he left her in the gloomy forest, and took his own dangater back to the King, who married her ander the impression all he while that sae was of royal blood. Bertha found regge in a miller's house in the valley, and there came King Pepin one day and saw here, and recognized a ring she had on her finger, and then made her his lawful wife, and she became the mother of the great Charles. Unfortunately the same legend is attached to a score of places in Germany and essewhere, and consequently loses its value. The old lady who guns the milk wishes that Richard Wagner would take the legend in annual and make it the subject of an opera, which might be consequent.

legend is attached to a score of places in Germany and casewhere, and consequently loses its value. The old hady who runs the mill wishes that Richard Wugner would take the legend in nand and make it the subject of an opera, which might be person med during the summer months at Gauting. This, she thinks, would be a fortune for the whose valley of the Wurm and a great honor for the Eavarnan fatherland.

RING LUDWIG II.

After this digression I mast return to the lake again, which has still interest enough for a long letter. But I must confine myses to King Ludwig, who has just returned to Schlossberg, about whom the newspapers are discussing the object of instructed in the property of the pourney to Versaniles and Paris. The most faincied rumors have been spread abroad about the journey to Versaniles and Paris. The most faincied ir rumors have been spread abroad about the journey. Some beople fancied that he had not gone to Paris at all, but to London, to Windsor, where he had selected an English princess for his bride. But this is idle gossip, Ludwig does not care for matrimony at present. The young monarch went to Paris and Versaniles to study architecture, for the wonderful new castle at Hohensenwangan, which is to cost 7,000,000 of guidens. The King takes great interest in the furnishing and decoration of his dwelling place. The young man certainly showed to good advantage during his recent trip. That the statue of Ronsseau and Voltaire, the grave of Richeheu, the monument of Mohere and the equestrian statue of Ronsseau and Voltaire, the grave of Richeheu, the monument of Mohere and the equestrian statue of Louis XIV. Should have attracted him, proves that he has not been an inde student of interature and history. But why he should have stood "ourred in thought" before the statue of Louis XIV. we can hardly comprehend. Gradually, we are happy to say, the world is beginning to think better of the romantic young scon of the house of Wittelsoach, who, to tell the truin, has done many loolish things, but more th

THE EVENING SCHOOLS.

The liberal provision made by our school system for the education of the masses is exhibited in a very interesting and invaluance form in the extensive accommodations for the evening schools, designed for those whose age or avocations prevent them from attending the day schools. These will enable at least 20,000 of our working population to spend their coming winter evenings in the employments of the schoolroom, where, with the aid and instruction of a carefully selected corps of teachers, old and young will be enabled to pursue the literary course essential to their advance in life. The law on compulsory education, requiring

that minors be given the opportunity of fourteen weeks' instruction during the year, also accepts as an equivalent two weeks in an evening school for one week in day school, so that, with some modification, the evening school system may be adapted to the circumstances of our industrial population and permit minors to attend to their labor while complying with the law.

One of the leatures of our evening school system needs to be better understood. The Germans and French long since learned the practice of the Board of Education, and numerous classes of these nationalities engaged in studying the English language are corolled in the schools. The Swedes and Hamans and others who have applied for schools, must adopt a similar course. Separate schools for any nationality are not established, but any people speaking a foreign language can be organized into classes in any school building where the evening schools are established by enrolling themselves according to their several languages.

At the last meeting of the Board of Education Rev. Thomas Galianulet asked for the organization of a class in the Eighteenth ward evening school for the instruction of deal mutes, and such a class will accordingly be formed. adapted to the circumstances of our industrial

lor the instruction of deal mutes, and such a class will accordingly be formed.

The evening High School, in Thirteenth street, near Sixth avenue, will reopen as usual. Drawing, engineering, bookkeeping, mathematics, political science, languages, Ac. are taught.

The rollowing are the locations of the several male and lemaile evening schools by wards and numbers. The schools are now registering for the admission of pupils, and as the revular studies are to commence to-morrow, the 5th inst., it is desirable that those who expect to enter should do so immediately, that the proper classification may be made and the teachers assigned to duty. The male schools open at seven o'clock and the ismale at half-past six P. M.

MALES.

past six P. M.

MALES.

Location.

1. 99 and 99 Green wich street.

1. 32 Vandewater street.

1. 31 Madison street.

2. Alien street, near Hester.

3. Hintstreet, near Hester.

4. Lighty-seventh street, near Third avenue.

4. Lighty-seventh street, near Third avenue.

5. Lighty-seventh street, near Third avenue.

6. Carmansville.

7. Hith street, Harlem.

8. Houston street, near First avenue.

9. Twenty-third street, near Third avenue.

10. Twenty-third street, near Third avenue.

11. Forty-seventh street, near Third avenue.

12. West Thirty-fifth street, near Ninth av.

13. Forty-seventh street, near Eighth avenue.

2. All avenue, near 158th street.

3. Tremont.

4. West Farms.

6...24 .Elm street, near Leonard.
7...31.209 Monroe street, near Montgomery.
8...38..Clark street, near Broome.
11...15..Fifth street, near avenue C.
12...48..Carminavile. Broome street, near Sheriff.

Broome street, near Sherim.
Marion street, near Prince.
Sevesteenin street, Near Eighth avenue.
Fourteenth street, near First avenue.
Fitty-geventh street, near Second avenue.
Twenty-eighth street, near Second av.
Fortieth street, near Second av.
Fortieth street, near Second av.

TYNDALLISM.

Interview with Dr. C. M. O'Leary, of Manhattan College.

A Catholic Opinion on the New Excitement About an Old Discussion.

Tyndall's Materialism the Outgrowth of a "Madness of Method."

Yesterday afternoon a HERALD reporter called on Dr. C. M. O'Leary, at Manhattan College, to obtain his views on Tyndaliism. it may be remembered that the Doctor gathered thunderboits around his devoted head at Albany two years ago when he read a paper entitled "The Etnical As pect of Modern Science," in which Huxley, Darwin and Mill were dissected with the keen scalpel of Catholic theology. At the time the Doctor was the only Catholic theologian in the Convocation, and for hours he answered the arguments put forward. against the premises taken and the conclusion arrived at in his paper. In the interview below it will be seen that the Doctor's views are severely Catholic, and that he has given the subject much attention. According to him Tyndallism is nothing new, for the differences between his doctrine, as lately annunciated, and those of Leucippus and Epicurus are very slight.

In answer to an opening question as to his gen. eral opinion of Tyndali's new position the Doctor

"To a thorough understanding of the question at issue between Christian theology and the science which opposes it a glance at the changes which philosophy has undergone within the last

at issue between Christian theology and the science which opposes it a glance at the changes which philosophy has undergone within the last hundred years is indispensiols. The frame of matter was not the growth of a dat not the result of his individual speculations, but dated back to that turn in the history of philosophy which the studies of Locke in England, Spinosa in Germany and Condillate in France give rise to. These philosophers believed that all ideas have their origin in the senses and laid the foundation of materialism by making the process of intellection do end upon sensation. Locke, while admitting his belief in the spirituality of the soul, at the same time conce ed to matter the possibility of producing thought. Condillate invented an ideal statue in which he developed all the subtle and elaborate operations of the mind from the simple sensations, while Voltaire clearly foresthalowed the more recent documes to the mind from the simple sensations, while Voltaire clearly foresthalowed the more recent documes of the mind from the simple sensations, while Voltaire clearly foresthalowed the more recent documes of the mind from the simple sensations, while voltaire clearly foresthalowed the more recent documes of matter before Tynnall, and how did they seek to establish an identity between it and spiritor. "Woll," said the Doctor, one La Metric, Helvetius and Ditoloach, in various ways, expressed their being in the length of the provide of Tynnall. The barriers between the antagonistic forces of matter and spirit being this weakened the advance to a more scientific materialism became easy. Chemistry and the microscope poured fresh floo is of light on the purely in the mind of psychology, and to acmit and object of the body. Nerve power began to be understood, and by the experiments of Flootrens, lichait and Virchow, cereb all functions operations outside of the body. Nerve power began to be understood, and by the experiments of Flootrens, lichait and virchow, cereb all functions operations outside of t set our every step, so our whole hope of our elucidation of them lies in the same direction.

free will, moral responsibility and the hope of a luture state of existence in order to satisfy a one-sided logical aspiration. It was born in the atmosphere of an experience which precedes the admission of all a priori truth. When the mind has devoted their enthusiastically to the consideration of a special series of truths ascertainable only by special procedure it is irresistally inclined to apply the same method with reference to truths not coming within the scope of its operation. To a mind thus subjectively constituted nothing is admissible but what conforms to the tests it is accustomed to apply, and this the logical consistency men of the Tyndall and Huxley type claim for themselves in wishing to-submit every question to the probation of experience. A similar error was committed by the dogmatists of scholaste philosophers of the sixteenth century, who, atterny ignoring the laws of physical investigation, filed their books with the jargon of vital lorces, virtues, whose speculations on metaphysics cashod be overestimated, fell into ridiculous errors when treating of purely physical matters. Thus we find that the exclusive application of the mind to any purase of truth not only excites prejudices, but in a measure incapacitates it or the study of the right of Malebranche. Diagid stewart and Reid did not make due allowance or the dependence of the mind on the body, while Mill Huxley and Tyndall, making the material organism paramount, ighore the influence of the sout."

"There seems among the orthodox folks to be ignore the influence of the soul.

"There seems among the orthodox tolk to be much difficulty in answering the arguments of Tyndah. How do you think they can best be

"Well, if the advocates of the existence of a principle of action in man essentially distinct from the body desire to vindicate their docurre they must enter the arena with minds stored with all the established deductions of recent must enter the archa with minus stored with all the established declactons of recent physiology and grapple the difficulties directly and squarely. The reassertion or the ole argument of design is but an indirect reply to Tyndah's materialism. The issue must be met in no spirit of evasion or abnorrence for the pernicious consequences of the new doctrines; but cach assertion must be suited, the assumed separated from the proved, and especially must the error be insuited upon of endeavoring to subject to special tests trains which, in the mature of things, are excluded from their operation. Huxley speaks of a possible sensignous molecule, which generates thought and sensation through the nervous tissue, being led unquestionably the supposition by the observation that all organisms originate in cells, with which the special functions of each are infinitely connected, the hypothesis is plausible if there were no counter. isms originate in cells, with which the special functions of each are intimately connected. The hypothesis is plausible in there were no counter doctrine in possession, as the casuasis say. But whenever a theory is advanced in conflict with a universal belief on which the hopes of thousands depend, which is all momentous to the interests of society since it has at the root of the doctrine of moral responsibility, that belief must be proved undernably erroneous. Belore, therefore, attacking so vital a doctrine by the advancement of an adverse theory its claims should be clearly disproved. Tyndall sheers at the notion of a soul, and forthwith proceeds to theorize. So far the new school is not only illogical, but dishonest, for it spurns the most cherished belief of mankind for ages. Still the interests of that belief must be none the less protected against the indirect assaults of its opponents, even under the injustice of the circumstances. The radical land of the new school, committed, as I said, through the application of a wrong method, has in the rejection of the supersensible. However much they may be pushed for an explanation of the causation of a first molecule they will admit no cause beyond, since such a cause is not discernible by the senses. Matter is cternal, necessary, absolute, containing within itself the reason of its existence: in a word it is God in the strictest sense, if we admit the principles of Professor Tyndall. The crude views of Epicarius and Leucippus, who attributed the variety, beauty and harmony of the universe to the chance collision of atoms, does not differ much from Tyndall's pangenetic cell, which is a curious linustration of the adage that there is nothing new under the sun."

The Doctor has delivered a lecture to the Seniors

The Doctor has delivered a lecture to the Senjors of the College, in which the ideas enunciated him in the interview were more elaborately